THE UNITED REPUBLIC OF TANZANIA

JUDICIARY

IN THE HIGH COURT OF TANZANIA

IN THE DISTRICT REGISTRY OF MBEYA

AT MBEYA

MISC. LAND APPLICATION NO. 82 OF 2020.

(From Land Case No. 14 of 2012, in the High Court of Tanzania, at Mbeya).

THE REGISTERED TRUSTEES OF REDEEMED ASSEMBLIES OF GOD IN TANZANIA (TAG).....APPLICANTS

VERSUS

1. OBED HEZIRON SICHEMBE.....1ST RESPONDENT
2. THE REGISTERED TRUSTEES OF TANZANIA ASSEMBLIES OF GOD (TAG).....2ND RESPONDENT

RULING

11/02 & 22/04/2021.

UTAMWA, J:

The applicants in this application, the REGISTERED TRUSTEES OF REDEEMED ASSEMBLIES OF GOD IN TANZANIA (TAG) moved this court for extension of time to file a notice of appeal to the Court of Appeal of Tanzania (the CAT) against the judgment (impugned judgment) of this court in Land Case No. 14 of 2012 (the main case). They also sought for any other relief the court may deem just to grant. The application was made by way of chamber summons supported by an affidavit sworn by Mr. Justinian

Mushokorwa, learned counsel for the applicants. It was preferred under section 11(1) of the Appellate Jurisdiction Act, Cap. 141 R. E. 2019 (the AJA). The respondents, one OBED HEZIRON SICHEMBE and the REGISTERED TRUSTEES OF TANZANIA ASSEMBLIES OF GOD (TAG) resisted the application through a counter affidavit sworn by Mr. Roman Selasini Lamwai, learned counsel for the respondents. The application was argued by way of written submissions.

The affidavit supporting the application essentially stated as follows; that, the applicants instituted against the respondents the main case before this court. The same was dismissed (by Karua, J. as he then was). The applicants then sough extension of time to apply for leave to appeal to the CAT before this court through Applications No. 63 of 2013 and No. 20 of 2015. However, both applications were struck out. Afterwards they successfully applied for extension of time to apply for the leave to appeal to the CAT out of time vide Application No. 69 of 2016 (decided by Mambi, J.). They then applied for the leave to appeal to the CAT vide application No. 6 of 2017, but the same was dismissed on 20th August, 2018 (Ngwala, J.). Thereafter, on 8th September, 2018 they lodged an application before the CAT (Civil Application No. 596/6 of 2018) seeking for the leave to appeal to it. Nevertheless, the same was also struck out on 15th June, 2020.

The affidavit further stated that, since the law now permits a direct appeal to the CAT against the impugned judgement in the main case, and since the prescribed time for doing so has now lapsed, the applicants intend to move this court to grant them extension of time to file the notice of appeal to the CAT out of time. The grounds for the delay are as follows: the time

spent in diligent prosecution of the abortive applications mentioned above and the time spent to be supplied with the rulings of the said applications. The affidavit added that, the intended appeal involves serious legal issues of *res judicata* and attestation of affidavit.

In his submissions in chief, the learned counsel for the applicants adopted the contents of the affidavit. Regarding the striking out of the applicants' application (Civil Application No. 596/6 of 2018) by the CAT, he argued that, the same was struck out because, the CAT no longer had jurisdiction to grant leave to appeal against the decision of the High Court of Tanzania (the High Court). This followed amendments of the law (i. e. section 45 of Cap. 216 R. E. 2019) through the Misc. Amendment Act No. 3 of 2018 (Act No. 8 of 2018).

It was also the submissions by the applicants' counsel that, the trend demonstrated by the applicants in his multi-proceedings mentioned above, shows that they were bona-fide seeking way to reach the CAT as the highest court in the country. The time spent in prosecuting those matters can be excluded as per section 21(1) of the Law of Limitation Act, Cap. 89 R. E. 2019 (henceforth the LLA). He further argued that, the delay of this kind is called technical delay which is differentiated in law from the actual delay. He maintained that, technical delay is excusable in law and he supported the contention by a decision of the CAT (Mwambegele. JA), in the case of **Venance Kazuri v. Eldard Sospeter, CAT Civil Application No. 556/06 of 2018** (unreported). He further argued that, the CAT in this precedent discarded the argument related to imputing negligence on the

part of the applicant's counsel following delays occasioned from prosecuting unsuccessful previous matters in courts.

It was also the submissions by the learned counsel for the applicants that, there was an illegality involved in the impugned judgment. This was because, the applicants are registered owners of the suit land, hence enjoy the protection under section 33(1)(b) of the Land Registration Act, Cap. 334, R. E. 2019. The impugned judgment was thus, *prema-facie* illegal for vesting the suit land to the respondents. Owing to this reason, the impugned judgment needs the intervention by the CAT, hence the illegality is a good cause for granting the prayed extension of time. He supported this particular contention by a precedent of the CAT in **Minister of Defence v. Valambia [1992] TLR.** 185. Indeed, I must hasten to alert the learned counsel for the applicants that, this citation is not a complete citation of that precedent. Its proper citation is **Principal Secretary, Ministry of Defence; National Service v. Devram Valambhia [1992] TLR 185.**

As hinted above, the respondents resisted the application vide the counter affidavit of their learned counsel. It must be noted at this juncture that, in his submissions in chief, the learned counsel for the applicants indicated that they were not served by the counter affidavit. However, the respondents' counsel maintained in his replying submissions that the applicants were served with the counter affidavit on the 9th November, 2020. The record also shows that, the counter affidavit was filed in court on the 9th November, 2020. I will thus, consider it in this ruling since the applicants and their counsel did not raise their concern before the court could fixed the

scheduling order for filing the written submissions now under consideration in this ruling.

The counter affidavit does not in fact dispute the background of the matter at hand as narrated in the affidavit supporting the application. However, it challenged the affidavit for not disclosing the dates when the applicants engaged their counsel for the various applications. It also stated that, the application before the CAT was not struck out for want of jurisdiction of the CAT, but for containing wrong provisions of the law as indicated in the order of the CAT (attached to the counter affidavit).

The learned counsel for the respondents further deponed into the counter affidavit that, the fact that the law was amended to the extent of permitting direct appeals against decisions of the High Court, does not account for the delay to file the notice of appeal in this matter and for the negligence of the applicants' counsel. He further contended that, the affidavit demonstrated that the learned counsel for the applicants was clearly negligent in conducting the matter, it exhibited lack of diligence on the part of the counsel and lack of seriousness on the part of the applicants. He also challenged the statement made under paragraph 10 of the affidavit which stated that, the intended appeal involves serious legal issues of *res-judicata* and attestation of affidavit. He further stated that, it is offensive for not being a statement of fact and for containing argumentative materials. The affidavit does not thus, show sufficient reasons for the delay and this court ought not to have entertained it.

In his replying submissions, the learned counsel for the respondents adopted the contents of the counter affidavit. He additionally argued that, the applicants did not adduce sufficient reasons because, in the first place, the affidavit did not exhibit as to when the delay began and is for how long. Again, the multi-applications mentioned above were only related to the leave to appeal to the CAT and not to the extension of time to file the notice of appeal. The applicants did not thus, adduce reasons as to why they delayed to file the notice of appeal timely. This court cannot thus, be able to exercise its discretion in granting the application at hand.

It was further contended by the learned counsel for the respondents that, the unsuccessful multi-applications which ended with the striking out of the application before the CAT on the 15th June, 2020 did not exonerate the applicants from filing the notice of appeal in time and from accounting for each day of the delay. The applicants thus, are trying to delay the respondents in obtaining a building permit in the suit land since they (applicants) possess the certificate of title for the same. This is an abuse of court process.

The learned counsel for the respondents further argued that, granting extension of time under section 11(1) of the AJA is an exercise of judicial discretion. Such discretion is exercisable basing on what is fair and is guided by rules and principles of law. The court has also to demonstrate how that discretion has been exercised in reaching into the decision it takes. He supported this particular stance of the law by the decision of the CAT in the case of **Mwita s/o Mhere and Ibrahim Mhere v. Republic [2005] TLR. 107**. He further submitted that, case law has established conditions for

granting extension of time which include that, an applicant must adduce sufficient materials to account for the delay and must show diligence, not negligence in prosecuting the intended action.

Regarding the issue of illegality in the impugned judgment, the learned counsel for the respondents argued that, the **Principal Secretary case** (supra) cited by the applicants' counsel is distinguishable from the matter under consideration. This is because, the illegality indicated in the submissions by the learned counsel for the applicants was not sworn in the affidavit. The submissions on the illegality were thus, an after though without any evidential proof. In law, not all allegations of illegality constitutes good cause. He cemented this particular stance of the law by the decision of the CAT in the case of **MZA RTC Trading Company Ltd v. Export Trading Company Limited, Civil Application No. 12 of 2015, CAT at Mwanza** (unreported). He further argued that, this same precedent underscored the principle that in an application for extension of time a delay must be accounted for. The applicants in the matter at hand were thus, required to account for the delay from the date when they were required to file the notice of appeal to the date when they filed the application at hand. He thus, urged this court to dismiss the application.

In his rejoinder submissions, the learned counsel for the applicants urged this court to expunge the replying submissions of the respondents' counsel on the grounds that, they did not file and serve the counter affidavit to the applicants. I will not be detained by this contention since I have already made a finding earlier on this alleged non-service of the counter affidavit. I decided that, I will consider the counter affidavit in this ruling for

the reasons I adduced before. I thus, straightforward discard this particular argument and prayer.

In the rejoinder submissions, the learned counsel for the applicants further reiterated the contents his affidavit and his submissions in chief. He also underscored the principle that, courts should not begrudge extension of time where there are contentious issues, unless the court is satisfied that the grant of the same would prejudice the respondent. He supported this stance of the law by a decision of this court in **Morram Gold Corporation Ltd v. Minister for Energy [1998] TLR 425** which he considered as a very persuasive precedent.

I have considered the affidavit, the counter affidavit, the respective submissions by both sides and the law. I actually, agree with the learned counsel for the respondents that, before an application for extension of time like the present one is granted, an applicant must adduce sufficient reasons for the court to exercise its discretional powers to grant it. This is an undisputed, clear and trite principle of our law. The major issue before me is thus, *whether or not the applicants in the matter at hand have adduced sufficient reason/s for this court to grant the application at hand.*

In my considered view, the circumstances of this matter do not attract answering the major issue posed above affirmatively. This view is based on the following grounds: in the first place, according to paragraph 9 and 10 of the affidavit and the submissions by the applicants' counsel, the applicants set three reasons for the delay to file the notice of appeal timely. The reasons are these;

a. That, they spent the material time in diligently prosecuting the abortive applications referred above.
b. That, they spent time in being supplied with the rulings of the multi-applications they were prosecuting.
c. That, there were illegalities in the impugned judgment.

I will now test the sufficiency of each of the three reasons listed above separately. I will begin with the first reason. In amplifying this reason, the applicants' counsel substantially relied upon the doctrine of technical delay as shown above which he said, is also supported by section 21(1) of the LLA. I will now test if these two legal aspects are in favour of the applicants under the circumstances of the matter at hand.

Concerning the doctrine of technical delay, the sub-issue is *whether under the circumstances of the matter under consideration the principle of technical delay can invoked in favour of the applicants*. Indeed, in our jurisdiction this principle can be traced back from the case of **Fortunatus Masha v. William Shija and Another [1997] TLR 154.** In that precedent a single justice of appeal (Mfalila, JA as he then was), made useful remarks on this principle at page 155. The substantial part of the remarks were also quoted with approval by the CAT in the **Venance Kazuri case** (supra, at page 14-15 of the typed version of the Ruling) cited by the learned counsel for the applicants in supporting their case. I also quote the remarks verbatim for a readymade reference;

> "...**I am satisfied that a distinction should be made between cases involving real or actual delays and those like the present one which only involve what can be called technical delays in the sense that the original appeal was lodged in time but the present**

> **situation arose only because the original appeal for one reason or another has been found to be incompetent and a fresh appeal has to be instituted.** In the circumstances, the negligence if any really refers to the filing of an incompetent appeal not the delay in filing it. The filing of an incompetent appeal having been duly penalised by striking it out, the same cannot be used yet again to determine the timeousness of applying for filing the fresh appeal. **In fact in the present case, the applicant acted immediately after the pronouncement of the ruling of this Court striking out the first appeal**." (Bold emphasis is mine).

Certainly, many other decisions of the CAT have approved these remarks as the foundation of the doctrine of technical delay in this land. The precedents include the following: **Yara Tanzania Limited v. DB Sharpriya and Co. Limited, Civil Application No. 498 of 2016, CAT at Dar es Salaam** (unreported), **Zahara Kitindi and another v. Juma Swalehe and 9 others, Civil Application No. 4 of 2005** (unreported), **Salvand K. A. Rwegasira v. China Henan International Group Co. Ltd, Civil Reference No. 18 of 2006, CAT at Dar ss Salaam** (Unreported) and **Bharya Engineering and Contracting Co. Ltd v. Hamoud Ahmad @ Nassor, Civil Application No. 342/01 of 2017, CAT, at Tabora** (unreported).

Indeed, though in the landmark **Fortunatus Masha case** (supra) the matter before the CAT was on extension of time to file an appeal before the CAT, the principle of technical delay has also been applied in applications for extension of time to do other acts out of the time prescribed by the law or court orders. According to the above listed precedents of the CAT on the principle of technical delay, one can extract the following brief principle: that, *where a party to court proceedings promptly files a matter in court, but the court strikes it out for incompetence, then there will be a sufficient ground*

in a subsequent application for extending the time to file a competent matter for the same reliefs as those which were sought in the previously struck-out-matter, provided that, the applicant promptly so moves the court upon the previous matter being struck out.

It follows thus, that, for the doctrine of technical delay to apply in favour of an applicant for extension of time to perform any act out of the prescribed time, some major conditions must firstly be proved through the applicant's affidavit. The conditions have to be so proved cumulatively and not alternatively. The major conditions include the following:

i. That, prior to the application for extension of time under consideration of the court, the applicant must have timely filed in court a matter or matters for some reliefs.

ii. That, the matter/s previously filed by the applicant (mentioned under the first paragraph above), must have been struck out for incompetence before the application for extension of time was instituted.

iii. That, subsequent to the striking out of the previous matter, the applicant must have filed in the court the application for enlargement of time (envisaged under the first paragraph above) for instituting a competent matter out of time which will seek the same relief/s as those which were sought in the previous matter that had been struck out.

iv. That, the applicant must have promptly and diligently filed in court the application for enlargement of time (envisaged under

the first and third paragraphs above), upon the previous matter being struck out.

I will now engage into an inquiry in view of finding if each of the conditions listed above was proved in the application at hand. Regarding the first and second conditions, I am of the settled view that they were both established. This is because, it is clearly shown in the affidavit and it is not disputed by the parties that, the applicants had actually filed and prosecuted the unsuccessful multi-applications before this court and the CAT. In such applications they were seeking reliefs related to the leave to appeal to the CAT against the impugned judgment. Each of the multi-applications however, ended up being struck out. I thus, find that the first and second conditions were established in the matter at hand.

Regarding the third condition, I am of the following concerted views: that, the circumstances of the matter at hand do not show that it was established. This follows the fact that, though it is not disputed as shown above that the applicants had initially filed and prosecuted various applications which were ultimately struck out, these facts cannot be considered in favour of the applicants regarding the third condition. This is irrespective of the undisputed fact that, they filed the application at hand subsequent to the striking out of their abortive applications. The reasons for the above view against the applicants are these: in their abortive applications, the applicants only sought reliefs related to the leave to appeal to the CAT. They did not seek any relief related to the filing of the notice of appeal to the CAT, which said relief is relevant in the application at hand. In

my further settled view, a leave to appeal to the CAT on one hand, and a notice of appeal to it on the other, are two distinct statutory creatures.

It cannot therefore, be said that, in the application at hand, the applicants are seeking an enlargement of time in the view of instituting a competent matter out of time for the same relief/s as those which were sought in the previous matters (the multi-applications) that had been struck out. The abortive previous multi-applications were thus, irrelevant to the application under consideration. In fact, it would have been a different case had it been that the previous multi-applications were for relief/s related to the filing of the notice of appeal to the CAT out of time. It would have also been a different case had it been that the application at hand is for relief/s connected to the leave to appeal to the CAT. However, these two are not the cases under the prevailing circumstances of this matter. The applicants are alerted further that, not every matter which was previously struck out can be relevant to an application for extension of time as far as the doctrine of technical delay is concerned. I thus, hold that, the third condition was not proved.

Concerning the fourth condition, it cannot also be taken that it was demonstrated in the matter at hand. This is because, the third condition was not proved as observed above. Actually, even if it is presumed (without deciding) that the third condition was proved, I could still be adamant in holding that the fourth condition was proved by the applicants. This is because, according to the affidavit and the submissions in chief by the applicants' counsel, the last abortive application was the one which was before the CAT (Civil Application No. 596/06 of 2018) for leave to appeal

against the impugned judgement. It was struck out on the 15th June, 2020. These facts are also not disputed by the respondents. However, the applicants presented the present application to this court on the 14th July, 2020, but paid the necessary filing fees on the next day, i. e. on 15th July, 2020. The law guides that, a date for filing a document in court is the day when the necessary filing fees were paid. The application at hand therefore, was filed on the said 15th July, 2020. By simple arithmetic the application was filed after a period of a month (30 days) had lapsed from the date when the last application was struck out by the CAT.

However, the applicants did not account for the above mentioned delay of a month by firmly showing why they took such long time to file the application at hand. In the affidavit, it was only shown that, the general delay (to file the notice of appeal) was occasioned by *inter alia*, the belated supply of the rulings for the multi-applications. Nonetheless, this general explanation was inadequate in my view. This is because, the applicants did not indicate in the affidavit if they had actually applied for the copy of the order of the CAT which struck out their last previous application. They did not also disclose the dates when they applied for the same and when they obtained it. Under such circumstances, the law required them to account for each date of delay for the entire month mentioned earlier. Now, since they have not done so, it could not be said that they promptly and diligently filed the application under discussion so as to fulfil the fourth condition.

Owing to the above reasons I find that, the fourth condition for the applicability of the doctrine of technical delay was not also evidenced like the third.

Furthermore, as indicated earlier, the applicants' counsel also pegged his arguments related to the doctrine of technical delay on section 21(1) of the LLA. I had an opportunity to visit these provisions of the law. Nevertheless, I am not of the view that the applicants can get a better shelter under them. This view is based on the following grounds: in the first place, section 21(1) of the LLA is irrelevant to the application at hand. It relates to prosecution of suits filed *bon-fide* in court without jurisdiction. It does not carter for applications like the one under consideration. Nevertheless, the corresponding section for applications is section 21(2) of the LLA. The same reads thus, and I reproduce it for a quick reference;

> "In computing the period of limitation prescribed for any application, the time during which the applicant has been prosecuting, **with due diligence**, another civil proceeding, whether in a court of first instance or in a court of appeal, against the same party, **for the same relief**, shall be excluded where such proceeding is prosecuted in good faith, in a court which, from defect of jurisdiction or other cause of a like nature, is unable to entertain it." (Bold emphasis is provided).

According to the above quoted provisions of the law, it is clear that, in computing the period of limitation prescribed for any application, one of the important conditions for excluding the time during which an applicant has been prosecuting other civil proceedings is that, the said previous civil proceedings and the application being considered by the court, must relate to the same relief/s. This requirement thus, also supports the third condition for the applicability of the doctrine of technical delay discussed previously. This condition underscores that, the application for enlargement of time under the consideration of the court, must be for instituting a competent matter out of time which will seek same relief/s as those which were sought in the previous matter that had been struck out.

However, I have already held above that, the third condition was not established in the matter at hand for the reasons I adduced. I thus, find that section 21(2) of the LLA does not support the applicants since the proceedings they were prosecuting (the abortive applications) did not seek relief/s which will also be sought in the matter that will be filed in case the application at hand will be successful. This follows the understanding that, as hinted earlier, the previous proceedings were related to the leave to appeal to the CAT while the present application is on extension of time to file the notice of appeal out of time.

Due to the reasons adduced above, I agree with the argument by the learned counsel for the respondents that, the applicants did not give reasons for the delay in filing the notice of appeal, but they focused on the leave to appeal to the CAT only.

Now, since I have found above that the third and fourth conditions for the applicability of the doctrine of technical delay were not proved in the matter at hand, and since the law requires all the above listed conditions to be proved cumulatively as I underscored earlier for the doctrine to apply, I answer the sub-issue posed above negatively that, under the circumstances of the matter under consideration, the principle of technical delay cannot be invoked in favour of the applicant.

It follows thus, that, the first reason for the delay adduced by the applicants is actually, insufficient. This finding calls for the consideration of the second reason for the application at hand.

Regarding the second reason for the application the sub-issue is *whether or not the applicants have proved that the time spent in being supplied with the rulings of the multi-applications by the courts contributed to the delay in filing the notice of appeal to the CAT.* In my view, the answer to this sub-issue cannot be affirmative. The reasons for this this view are that, I have previously held that the multi-applications which the applicants were prosecuting were irrelevant to the filing of the notice of appeal to the CAT. This is because, they related to the leave to appeal and not to the filing of the notice of appeal. It follows thus, that, as rightly argued by the learned counsel for the respondents, the applicants did not explain as to how such irrelevant applications obstructed them from filing the notice of appeal timely. They did not also explain as to how such allegedly delayed rulings could assist them in filing the notice of appeal timely if they were supplied to them promptly.

Moreover, even if it is taken (without deciding) that the rulings on the multi-applications were pertinent in filing the notice of appeal, it could not necessarily follow that the applicants have proved that there was a delay by courts in supplying them with such rulings, and that such delay constituted a sufficient reason for their failure to file the notice of appeal timely. This is because, the applicants did not show in her affidavit that they had actually applied for the copies of the respective rulings regarding each application. They did not also disclose the dates when they applied for the same and when they obtained each of them. Now, since they did not do so, it could not be said that there was any delay by the courts in supplying the applicants

with the copies of the respective rulings. It cannot also be said that they were prompt and diligent in pursuing their rights as the law requires.

Owing to the above reasons, I answer the sub-issue regarding the second reason negatively that, the applicants have not proved that the time spent in being supplied by the courts, with the rulings of the multi-applications contributed to the delay in filing the notice of appeal to the CAT. I consequently find that, the applicants' second reason is lame like the first. This finding calls for the testing of the third reasons for the delay.

Concerning the third reason for the delay, the sub-issue issue is *whether or not the applicants have established any illegality in the impugned judgment fit for consideration by the CAT.* In fact, I hasten to disclose my negative view that, this reason cannot support the application at hand. This is so because, the affidavit stated that the points of illegalities in the impugned judgment related to the principle of *res judicata* and attestation of an affidavit. Nonetheless, in the submissions in chief by the applicants' counsel, he argued that, the illegalities at issue related to section 33(1)(b) of Cap. 334 as shown above. All these are very different matters of law. It is thus, clear that, what was stated in the affidavit as an illegality was not amplified in the submissions by the applicants' counsel in demonstrating how the illegality was occasioned and how it affected the applicants.

Again, what was argued in the submissions in chief of the applicants' counsel as the illegality, was not referred to in the affidavit. It thus, came to the applicants as an after though as rightly argued by the learned counsel for the respondents. I in fact, agree with the learned counsel for the

respondents that, in law, not any allegation of illegality can constitute a good reason for extending time. The allegation on illegalities by the applicants in the matter at hand thus, fall under this categories of allegations for the reasons shown above.

In sum therefore, this court is not convinced that there was any illegality in the impugned judgement to justify the prayed extension of time to file a notice of appeal to the CAT. I thus, answer the sub-issue regarding the third reason negatively that, the applicants have not established any illegality in the impugned judgment fit for consideration by the CAT. I accordingly find the third reason and inadequate like the two preceding reasons.

Owing to the above reasons, I distinguish from the application at hand, all the precedents cited by the learned counsel for the applicants in support of the application. I thus, find that all the three reasons adduced by the applicants are insufficient. Instead, I agree with the arguments advanced by the learned counsel for the respondents. I consequently answer the major issue posed above negatively that, the applicants have not adduced any sufficient reason for this court to grant their application. I accordingly dismiss it with costs because, costs follow event, unless there are good reasons to decide otherwise, which said good reasons are missing in the matter at hand. It is so ordered.

THE HIGH COURT OF TANZANIA

JHK. UTAMWA,
JUDGE

22/04/2021.

22/04/2021.
CORAM; JHK. Utamwa, J.
Applicants: Mr. Patrick Seif Kigava (Chairman of the Board of Trustees).
1ST Respondent: Absent.
2ND Respondent: Mr. Leonard Rington Mwasiposya (Church Elder).
BC; Ms. Gaudensia, RMA.

Court: Ruling delivered in the presence of Mr. Patrick Seif Kigava (Chairman of the Board of Trustees) for the applicants and Mr. Leonard Rington Mwasiposya (Church Elder) for the second respondent, in court, this 22nd April, 2021.

JHK. UTAMWA.
JUDGE.
22/04/2021.